

REMARKS

Status of Claims

Claims 1-14 and 22-23 are now pending for the Examiner's consideration.

Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, in light of the following remarks.

Rejection under 35 U.S.C. § 103

Claims 1-14 and 22-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ruckle et al. U.S. Patent Application Publication 2004/0092561 ("Ruckle"). Referring to the reasons stated in the previous Action dated May 30, 2006, the Office alleges that the claimed compounds of Formula I of the present invention are encompassed by the Ruckle's structure of Formula II on page 8 and have the same uses as the Ruckle's compounds. Applicants disagree with this allegation for the following reasons.

First, the Office did not establish how one of ordinary skill in the art would have been motivated to select the claimed species, wherein the substituent corresponding to Y is C=S, from the disclosed broad genus. Furthermore, Applicants note that Ruckle teaches away from the present invention by a statement that the substituent corresponding to Y is preferably C=O. Paragraph [0084]. Applicants further note that the only specific example of Formula II provided by Ruckle is a compound of Example 11, wherein the substituent corresponding to Y is C=O.

Second, the Office did not evaluate the evidence of secondary considerations, such as unexpectedly superior properties of the compounds of the present invention as PI3K gamma inhibitors as evidenced by IC₅₀ data presented in Table 1 of the originally-filed application. The claimed compounds of the present invention, for example, Ex. 17, 18, 34, 37, 55, 69, 77-80 and 96 are about 10-fold more effective inhibitors of PI3K gamma than the Ruckle's compounds (page 20, Table 1).

Accordingly, Applicants respectfully request that the rejection under § 103 over Ruckle et al. be withdrawn.

Applicants believe all claims are now in condition for allowance. Should there be any issues that have not been addressed to the Examiner's satisfaction, Applicants invite the Examiner to contact the undersigned attorney.

Applicants do not believe any fees are due in connection with this response. If any fees are due in connection with this response, please charge such fees to Deposit Account No. 161445.

Respectfully submitted,

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